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FILED

6 Attorneys for Defendants  
7 CITY OF SAN JOSE and SON VU

8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 SAN JOSE FACILITY

11 MERCEDES MARKER,

12 Plaintiff,

13 v.

14 CITY OF SAN JOSE and SON VU,

15 Defendants.  
16

NO.: C09-05956 RMW

**PARTIES' STIPULATION AND  
~~PROPOSED~~ ORDER TO SHORTEN  
TIME FOR HEARING DEFENDANTS'  
MOTION TO EXTEND TIME FOR  
EXPERT DISCLOSURE AND EXPERT  
DISCOVERY**

17 **STIPULATION**

18 Defendants CITY OF SAN JOSE and SON VU, and Plaintiff MERCEDES MARKER  
19 (collectively the "Parties"), hereby agree and stipulate as follows:

20 Whereas, the trial of this case is set to begin on June 17, 2013;

21 Whereas, Defendants will be moving to extend time for expert disclosure and  
22 expert discovery solely as to the Independent Medical Examiner who evaluated Plaintiff's  
23 claimed injury in this case (the "Motion");

24 Whereas, Plaintiff will be opposing the Motion;

25 Whereas, the Parties have met and conferred and have agreed to stipulate to a  
26 modified briefing schedule shortening time in light of the June 17, 2013 trial date;

(1) Defendants will file the Motion on May 7, 2013;

(3) Defendants' reply in support of the Motion will be filed on or before May 14, 2013;

(4) The hearing on the Motion will take place on May 24, 2013 at 9:00 am, in Courtroom 6, 4<sup>th</sup> Floor, before Judge Ronald M. Whyte.

Dated: May 7, 2013

RICHARD DOYLE, City Attorney

By:

RICHARD D. NORTH  
Deputy City Attorney

Dated: May 7, 2013

Law Office of Michael Millen

By:

MICHAEL MILLEN

Attorney for MERCEDES MARKER

ORDER

Having read and considered the Parties' Stipulation, and finding good cause for the relief requested therein, the court orders the following:

- (1) Defendants will file their motion to extend time for expert disclosure and expert discovery solely as to the Independent Medical Examiner who evaluated Plaintiff's injury in this case (the "Motion") on May 7, 2013;
- (2) Plaintiff's opposition to the Motion will be filed on or before May 10, 2013;
- (3) Defendants' reply in support of the Motion will be filed on or before May 14, 2013;
- (4) The hearing on the Motion will take place on May 24, 2013 at 9:00 am, in Courtroom 6, 4<sup>th</sup> Floor, before Judge Ronald M. Whyte.

Dated: 10th



HON. RONALD M. WHYTE